

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated March 8, 2006. Claims 1, 4-19, 21, 22 and 25 have been amended, without intending to abandon or to dedicate to the public any patentable subject matter. Claim 20 has been canceled. Accordingly, Claims 1, 4-19 and 21-29 are now pending. As set out more fully below, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, Claim 4 includes the term "Velcro®" which is found to be improper. The amendments set forth above replace the term Velcro with the term hook and loop fastener. Accordingly, it is submitted that the rejection of Claim 4 as indefinite should be reconsidered and withdrawn.

Claims 1, and 4-29 stand rejected under 35 U.S.C. §103 as obvious. In particular, Claims 1, 4,-7. 9-13, 15 and 16 stand rejected over U.S. Patent No. 2,999,621 to Kiser ("Kiser") in view of U.S. Patent No. 1,201,769 to Schloss ("Schloss"). In addition, Claim 8 stands rejected as obvious over Kiser in view of Faz and further in view of U.S. Patent No. 6,422,278 to Grogan ("Grogan"), Claims 14 and 17 -28 stand rejected as obvious over Kiser in view of Faz and further in view of U.S. Patent Application Publication 2003/0037480 to Davis ("Davis"), and Claim 29 stands rejected as obvious over Kiser, Faz, Davis, and further in view of U.S. Patent No. 5,052,555 to Harmon ("Harmon"). In order to establish a prima facie case of obviousness under Section 103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be reasonable expectation of success, and the prior art reference or references must teach or suggest all of the claim limitations (MPEP §2143.) The prior art references, whether considered alone or in combination, do not teach, suggest or disclose a fishing line container or a method for facilitating use of fishing line that includes a cover as generally recited by the pending claims. Accordingly, for at least this reason, the rejections under 35 U.S.C. §103 should be reconsidered and withdrawn.

As set forth in the amended claims, the present invention is generally directed to a fishing line container or tackle pack or a method of facilitating use of fishing line, in

which a compartment that provides a cover for a spool of fishing line is provided or used. More particularly, the cover can be affixed to an interior surface of the compartment such that a sleeve or pocket type structure is formed. Moreover, the cover has a free edge such that the pocket or sleeve formed by the cover can receive the spool of fishing line and a strap interconnecting the spool of fishing line to the flap of the compartment. This unique arrangement is not taught, suggested or described by any of the cited references, whether those references are considered alone or in combination.

The primary reference relied on by the Office Action to reject the claims is Kiser, which is generally directed to a foldable tackle box. Moreover, the Kiser reference is cited by the Office Action with respect to the claimed cover. In particular, the Office Action appears to rely on the cover 28 of Kiser (See Office Action page 5). However, the cover 28 of Kiser is not fixed to an inner area of a first flap along two lines, as generally recited by independent Claims 1, 9, 14 and 25. Furthermore, Kiser does not disclose a method that includes placing a first spool under a cover while the first spool is interconnected to the interior surface of the first compartment and then closing the first compartment as generally recited by independent Claim 17. Furthermore, there is no teaching or suggestion to modify the hinged cover provided by Kiser to arrive at a cover as claimed.

The Faz reference is generally directed to a holder for I.V. catheters and related medical articles. Faz is in generally cited by the Office Action for showing a container having a strap or fastening element for holding a spool. However, there is no disclosure in Faz of a cover forming a pocket or sleeve for receiving a spool of fishing line attached to a compartment by a strap as claimed.

The Grogan reference is generally directed to nested convertible handbags. Grogan is cited for disclosing a strap that uses snaps as the fastening elements. However, Grogan does not teach, suggest or disclose a cover forming a pocket or sleeve for receiving spool of fishing line as claimed.

The Davis reference is generally directed to a method and apparatus for dispensing filament such as tippet fishing line. More particularly, Davis discusses a hard shell container through which fishing line can be threaded and that provides cutters for

facilitating the retrieval of desired lengths of line. However, Davis does not teach, suggest or disclose a cover that forms a pocket or sleeve to receive a spool of fishing line as recited by the pending claims.

The Harmon reference is generally directed to a tote bag for fly-tying equipment and materials. Harmon is cited by the Office Action for showing a fishing bag that employs its zippers to close compartments. However, Harmon does not teach, suggest or disclose a cover that forms a pocket or sleeve to receive a spool of fishing line as claimed.


In summary, the claimed invention provides for a compartment with a cover to facilitate the retrieval of fishing line from a bag carried by a fisherman. More particularly, spools of fishing line are held by straps fixed to an inner flap of a compartment. The line exits of the compartment through access holes. Moreover, a cover is provided that forms a pocket or sleeve for receiving a spool of fishing line while it is attached to the flap by the strap. This unique combination of features is not found in the prior art. Accordingly, the rejections of the claims as obvious should be reconsidered and withdrawn.

The application now appearing to be in form for allowance, early notification of the same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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